

Order

Michigan Supreme Court
Lansing, Michigan

November 27, 2007

Clifford W. Taylor,
Chief Justice

134206

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 134206
COA: 265778
Macomb CC: 2004-003893-FC

GERACER RAPHAEL TAYLOR,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the April 5, 2007 judgment of the Court of Appeals is considered, and it is GRANTED. The parties shall include among the issues to be briefed: (1) whether Lasater's identifications were testimonial or non-testimonial under *Davis v Washington*, 547 US 813 (2006); (2) whether, if the statements were testimonial, they constitute dying declarations; and (3) "whether the Sixth Amendment incorporates an exception for testimonial dying declarations." See *Crawford v Washington*, 541 US 36, 56 n 6 (2004).

The Prosecuting Attorneys Association of Michigan and the Criminal Defense Attorneys of Michigan are invited to file briefs amicus curiae. Other persons or groups interested in the determination of the issues presented in this case may move the Court for permission to file briefs amicus curiae.



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

November 27, 2007

Corbin R. Davis

Clerk